REMARKS

The present application includes pending claims 1-35, all of which have been rejected. In particular, claims 1-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 7,181,759 ("Oz") in view of U.S. 2002/0147977 ("Hammett"). The Applicants respectfully traverse these rejections for at least the reasons previously discussed during prosecution and the following:

Claim 1 recites, in part, "at least one media filter comprising characteristics of media defined by a second user," and "server software that receives via the communication network a request identifying one of the associated first and second network addresses, and that corresponds by identifying the other of the associated first and second network addresses to coordinate the consumption of media."

I. **The Proposed Combination Does Not Describe, Teach Or Suggest "Server Software That Receives Via The Communication Network A Request Identifying One Of The Associated First And Second Network Addresses..."**

The Office Action cites Oz at column 14, lines 18-47 as disclosing the "server software...." *See* September 17, 2007 Office Action at page 3. However, this portion of Oz, which the Office Action relies on to reject the claims, recites the following:

> BMS 37 of FIG. 2A is analogous to BMS 36 of FIG. 2B but has an additional router 125, it is further coupled to internet 126 and to an additional application server 115. Router 125 is coupled via link 140 to broadband multimedia router 116 for allowing set-top-boxes to interact with internet 126 and additional application server 115. Application providers such as application servers 115 and 117, are configured to provide control and display code, embedded within a plurality of application packet. Router 125 can also be utilized to download ITC from internet 126.

> BMS 36 includes a logical communication bus 136, a session manager unit 102, a bandwidth utilization collector 104, a dynamic network restructuring unit 106, a network policy settings unit 108, a network management system 110, a broadband multimedia router 116, a QAM array 118, an RF switch 120, an RF upstream module 124, an RF combiner array 122, an Out-Of-Band unit 134, and a management system 112. BMS 36 is coupled to a plurality of set-top-boxes $34_{1,1}$-$34_{R,Q}$ via Hybrid Fiber Coax (HFC) network 128. The set-top-boxes are grouped in service groups 35_1-35_R, whereas members of the same service group receive the same In band signal. Set-top-box $34_{R,Q}$ is the Q'th member of the R'th service group.

> Broadband multimedia router 116 is coupled to logical communication bus 136, RF upstream module 124, QAM array 118, to at least one application provider, such as application server 115, to media providers such as VOD servers 252, music on demand unit 254, interactive MPEG unit 256, Internet television 258, telephony gateway 262, and the like."

Oz at column 14, lines 18-47. The Applicants respectfully submit that the portions of Oz shown above, specifically identified in the Office action as teaching "…server software that receives via the communication network a request identifying one of the associated first and second network addresses, and that responds by identifying the other of the associated first and second network addresses to coordinate the consumption of media…", fail to teach or disclose anything about "…receiv[ing] via the communication network **a request identifying one of the associated first and second network addresses…**", as recited in claim 1. The cited portions of Oz also fail to teach or suggest that the server software "…**responds by identifying the other of the associated first and second network addresses…**", in accordance with Applicants' claim 1. Accordingly, the Applicants respectfully submit that the Office Action has not

established a *prima facie* case of obviousness with respect to claim 1 or the claims that depend therefrom. Indeed, Oz, alone or in combination with Hammett, fails to describe, teach or suggest at least these elements of claim 1.

II. The Proposed Combination Fails To Describe, Teach Or Suggest "At Least One Media Filter Comprising Characteristics Of Media Defined By A Second User"

The Office Action acknowledges that Oz does not describe, teach or suggest "at least one media filter comprising characteristics of media defined by a second user." *See* September 17, 2007 Office Action at page 3. To overcome this deficiency, the Office Action cites Hammett at [0050], [0061]-[0062], [0064] and [0068]-[0069]. *See id.* However, there is nothing in these cited portions of Hammett that describe, teach or suggest "at least one media **filter** comprising characteristics of media **defined by a second user**." Moreover, the specification of Hammett does not even mention the term "filter," let alone one that includes "characteristics of media **defined by a second user**." Thus, for at least these reasons, the Office Action has not established a *prima facie* case of obviousness with respect to claim 1 or the claims that depend therefrom. The Applicants respectfully submit that the proposed combination of Oz and Hammett does not describe, teach or suggest "at least one media **filter** comprising characteristics of media **defined by a second user**."

III. The Remaining Claims Should Also Be In Condition For Allowance

Independent claim 13 also recites, in part, "at least one media filter comprising characteristics of media defined by a second user," and "server software that receives a request via a communication network, and responds by coordinating the consumption of

media by the television display." For at least the reasons discussed above with respect to claim 1, the Applicants respectfully submit that the Office Action has not established a *prima facie* case of obviousness with respect to claims 13-23. Indeed, these claims should be in condition for allowance.

Independent claim 24 also recites, in part, "at least one media filter comprising characteristics of media defined by a second user," "send a request to server software, the request identifying one of the associated first network address and a second network address associated with at least one server that supports consumption of media by coordinating media exchange via a communication network," and "receive a response from the server software, the response identifying the other of the associated first and second network addresses." For at least the reasons discussed above with respect to claim 1, the Applicants respectfully submit that the Office Action has not established a *prima facie* case of obviousness with respect to claims 24-35. Indeed, these claims should also be in condition for allowance.

IV. Conclusion

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully submit that the pending claims are in condition for allowance for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants. The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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